

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 28, 2009

DIVISION TWO

B211292 People (Not for Publication)
v.
Percy

The judgment is modified to stay the sentences in counts 1 and 3 pursuant to section 654. In all other respects, the judgment is affirmed. The superior court is directed to amend the abstract of judgment to reflect that the sentences in counts 1 and 3 are stayed and are not imposed to run concurrently.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

[illegible]

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION TWO (continued)

B213204 Lurie, Zepeda, Schmalz & Hogan (Not for Publication)
 v.
 Mercantile Investment Advisors, Inc.

The judgment (order granting relief from default) is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION FIVE

B212924 People (Not for Publication)
 v.
 Samuel Heng

The judgment is modified to include three additional \$20 section 1465.8, subdivision (a) (1) court security fees. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B211935 Julie K. Alban (Not for Publication)
 v.
 Alban Vineyards, et al.

The judgments are affirmed. Defendant, Seymour, Reva, John and Sarah Alban and Alban Vineyards, Inc., are awarded their costs on appeal from plaintiff, Julie Alban.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

DIVISION SIX

B208086 Alta Lab Casework, Ltd.
v.
Mid Canada Millwork, Ltd.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B212054 People (Certified for Publication)
v.
Javier Frausto

The clerk of the superior court is ordered to prepare an amended abstract of judgment reflecting the following modifications, and to forward it to the Department of Corrections and Rehabilitation: (1) imposition of only one five-year enhancement under section 667, subdivision (a)(1); award (2) an award of 466 days of presentence custody credit. As so amended, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Mohr, J. (Assigned)

B209514 People (Not for Publication)
v.
Geovanny Benavente, et al.

The judgments are affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Mohr, J. (Assigned)

DIVISION EIGHT (continued)

B213002 People (Not for Publication)

V.

Richard Elijah Brown, Jr.

The abstract of judgment is modified to state that restitution (Pen. Code, §1202.4, subd. (b) and parole revocation (Pen Code, § 1202.45) fines of \$200 each were imposed, and that the parole revocation fines was stayed. The matter is remanded to the clerk of the superior court with directions to prepare a corrected abstract of judgment and forward it to the Department of Corrections. The judgment as so modified is affirmed.

Rubin, Acting P.J.

We concur: Bigelow, J.
 Mohr, J. (Assigned)